

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**BRIAN RUSSELL LOCKE,**  
Petitioner,

v.

Case No. 11-CV-00364

**MICHAEL BAENAN, Warden,**  
Green Bay Correctional Institution,  
Respondent.

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**ORDER**

Petitioner Brian Locke filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 on April 15, 2011. On October 27, 2011, I gave petitioner additional time to file his brief in support of the petition because there was a delay in petitioner's receipt of respondent's answer. Petitioner had already filed a brief in support of his petition, but I gave him until November 30, 2011 to file an amended brief in order to ensure he had adequate time to draft his reply to respondent's arguments. I then gave respondent forty-five (45) days following the filing of petitioner's amended brief within which to file a brief in opposition. On November 14, 2011, petitioner notified the court that he would not be filing an amended brief. Despite this notification, respondent has still not filed a brief in opposition. Since the scheduling order was unclear as to what would happen if petitioner elected not to file an amended brief, I will give respondent a limited amount of additional time.

**THEREFORE, IT IS ORDERED** that: (1) respondent shall have thirty (30) days following the date of this order within which to file his opposition brief; and (2) petitioner

shall have thirty (30) days following the filing of respondent's opposition brief within which to file a reply brief, if any.

Dated at Milwaukee, Wisconsin, this 20th day of January, 2012.

s/\_\_\_\_\_  
LYNN ADELMAN  
District Judge